REMARKS/ARGUMENTS

The rejections presented in the Office Action dated April 3, 2007 (hereinafter Office Action) have been considered but are believed to be improper. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Claims 10 and 16 have been amended to delete an extra space in each claim. These changes were not made for any reasons related to patentability and do not affect the scope of the claims.

Applicant respectfully traverses each of the §103(a) rejections each of which is based at least in part upon the teachings of U.S. Publication No. 2002/0141369 by Perras (hereinafter "Perras") as modified by the teachings of U.S. Publication No. 2002/0080752 by Corson *et al.* (hereinafter "Corson") because the asserted references alone, or in combination, do not teach or suggest each of the claimed limitations. Perras is directed to conventional mobile IP procedures which fail to correspond to several of the claimed limitations. For example, Perras does not teach transferring at least a tunneling IP address from a first access device to a second access device, as claimed in each of the independent claims. In contrast, Perras teaches that the terminal node (asserted as corresponding to the claimed corresponding host or the endpoint of the connection that is not the claimed terminal) first assigns and later reassigns the unique address to be used for the connection (paragraphs [0019]-[0022]). There is no teaching that this unique address is transferred from the first node to the second node (asserted as corresponding to the claimed respective first and second access devices).

This difference between Perras and the claimed invention is further illustrated by the teaching that each local network applies its own local point-of-attachment IP addresses such that a home agent must update a mobile station's point-of-attachment IP address each time the mobile station moves to a new network. Therefore, contrary to the assertion at page three of the Office Action, the fixed (home) IP address cannot correspond to the claimed tunneling IP address. Thus, Perras teaches that when a mobile station moves to a service area of a new service node the terminal node or endpoint of the connection establishes a

new tunnel with the new service node (paragraph [0020] and Fig. 7); whereas the claimed invention provides for transferring the tunneling IP address to a second access device without alerting the corresponding host or other endpoint of the connection.

In addition, Perras does not teach further limitations of the claimed invention. As paragraphs [0019]-[0022] merely teach that the other endpoint of the connection (not the mobile station or service node) reassigns the address for a new connection via a second service node, Perras does not teach determining a binding in a second access device between a tunneling IP address and an interface of the second access device. Also, paragraphs [0009]-[0013] merely teach updating local point-of-attachment IP addresses, which does not correspond to updating information concerning the new binding between a second device's network interface and the tunneling IP address.

As Corson does not teach use of a tunneling IP address allocated by a first access device and transferred to a second access device, neither of the asserted references teaches at least these limitations. Therefore, any combination of Perras and Corson must also fail to teach such limitations thereby rendering the rejections improper. Without a presentation of correspondence to each of the claimed limitations, Applicant requests that the §103(a) rejections be withdrawn.

Dependent Claims 2-4, 8, 10, 11, 15 and 17 depend from independent Claims 1, 9, 13 and 16, respectively. Each of these dependent claims also stands rejected under 35 U.S.C. §103(a) as being unpatentable over the above-discussed combination of Perras and Corson. While Applicant does not acquiesce to any particular rejections to these dependent claims, including any assertions concerning descriptive material, obvious design choice and/or what may be otherwise well-known in the art, these rejections are moot in view of the remarks made in connection with the independent claims above. These dependent claims include all of the limitations of their respective base claims and any intervening claims and recite additional features which further distinguish these claims from the cited references. "If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious." MPEP §2143.03; *citing In re Fine*, 837 F.2d 1071, 5

USPQ2d 1596 (Fed. Cir. 1988). Therefore, dependent Claims 2-4, 8, 10, 11, 15 and 17 should also be allowable over the combination of Perras and Corson.

With respect to the §103(a) rejection of dependent Claims 5-7, 12, 14 and 18 based upon the teachings of Perras and Corson and further in view of U.S. Publication No. 2002/0080752 by Johansson *et al.* (hereinafter "Johansson"), Applicant traverses as the asserted references alone, or in combination, do not teach each of the claimed limitations. As discussed above, Perras and Corson fail to at least teach transferring a tunneling IP address from a first access device to a second access device, as claimed. As Johansson has not been shown, and does not appear, to teach at least these limitations, the further reliance on Johansson does not overcome the above-discussed deficiencies in the §103(a) rejections. Therefore, the rejection of dependent Claims 5-7, 12, 14 and 18 is also improper, and Applicant requests that it be withdrawn.

It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Also, new Claims 19-25 have been added. The subject matter of these claims largely corresponds to the subject matter of original Claims 16-18, 6-8, and 4, respectively; therefore, the addition of these claims does not introduce new matter. These claims are believed to be patentable over the asserted references for the reasons set forth above.